

# RIF Readiness: Contracts, Law, and Practice

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This session explores common school district reduction-in-force (RIF) practices, with a focus on reviewing relevant contract language and key legal requirements. Participants will gain a clearer understanding of how statutes and collective bargaining agreements shape RIF decisions and implementation.

A reduction in force (RIF) in Florida constitutes the permanent elimination of positions due to non-discriminatory business reasons, such as lack of funds, lack of work, or organizational restructuring. For public sector employees, statutory rules require retention based on objective measures (merit, skills, experience, and seniority). § 110.227

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## Introduction

# Why RIFs Are Happening Now: The Current Landscape

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Florida districts face enrollment declines and budget pressures driven by school choice and funding shifts.

Plan proactively; *engage legal counsel early* and document fiscal and programmatic reasons for any workforce reduction.

- Miami-Dade, for example, reported enrollment down by more than 13,000 students compared to the prior year, which the superintendent confirmed will require personnel reductions.
- Districts like Orange County are projecting the loss of thousands more full-time students by 2026, partly driven by growth in state scholarship programs sending students to private schools — reducing per-pupil funding to traditional public schools.

# Enrollment & Funding Trends

Significant student losses reduce per-pupil revenue;  
projections show continued declines in some counties.

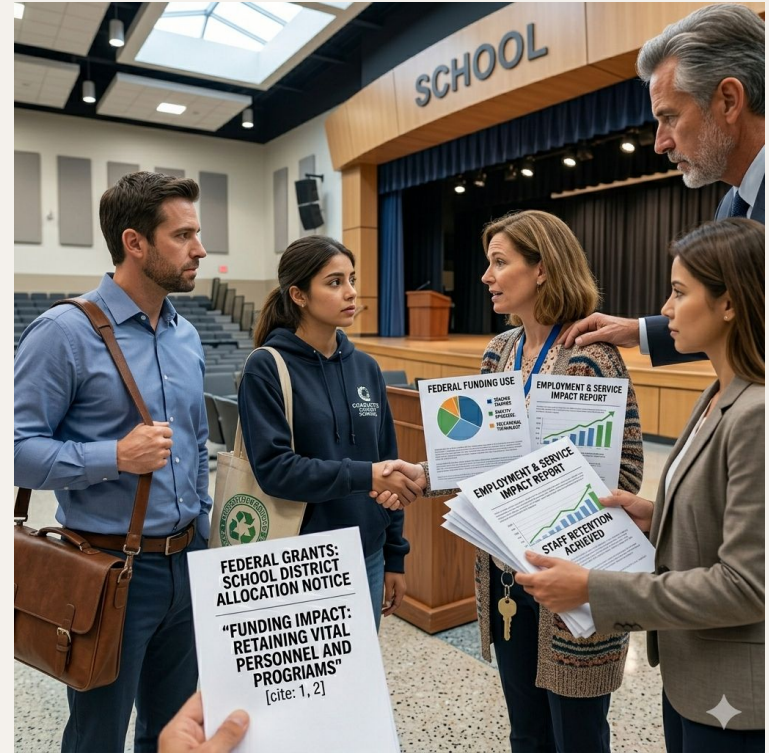
Monitor enrollment data and alternative funding sources to  
justify and time personnel decisions.



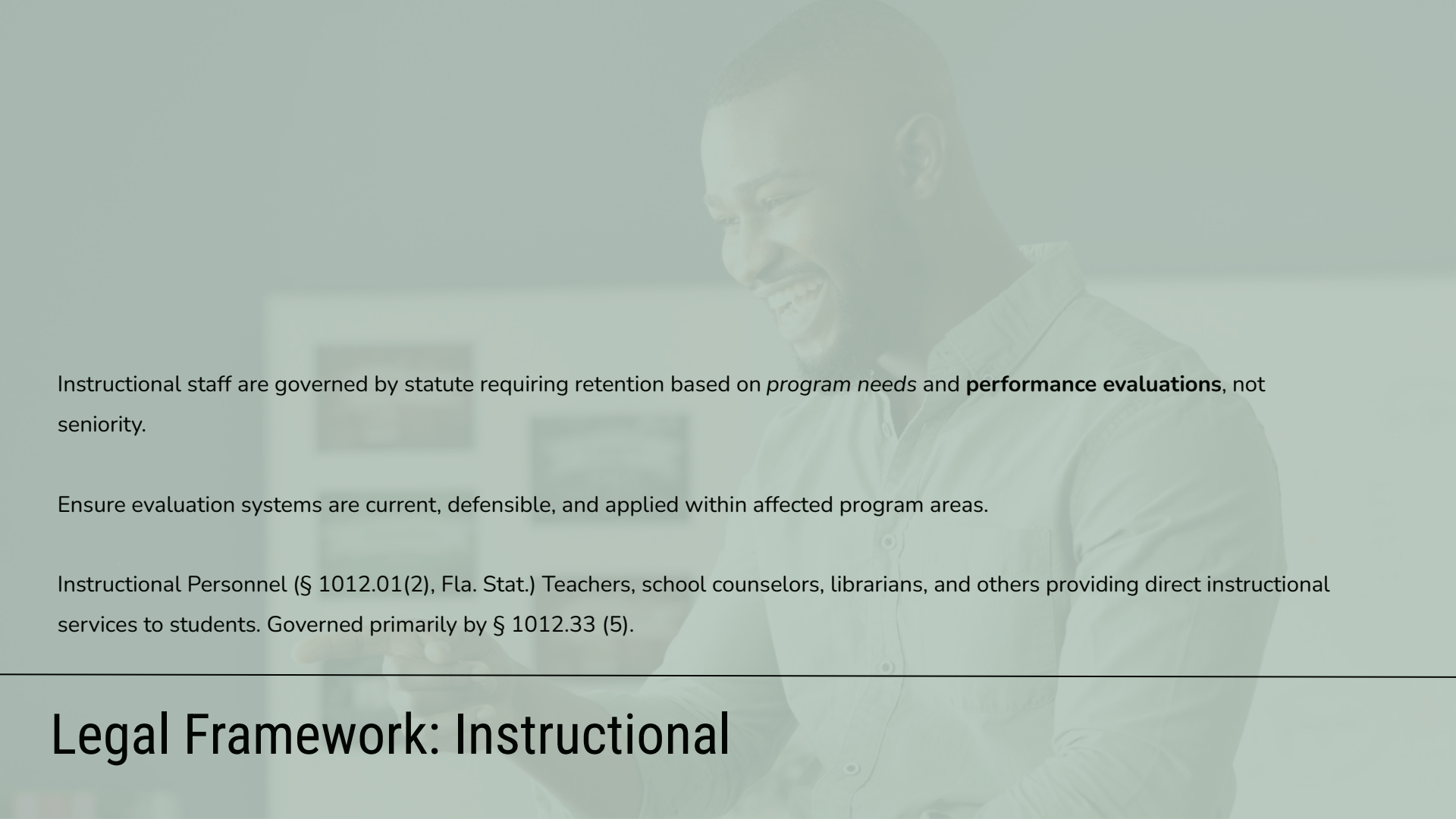
# Federal Funding Uncertainty

Federal grant freezes and variability can abruptly reduce program funding supporting staff positions.

Assess federal dependencies and prepare contingency plans to avoid sudden, noncompliant RIFs.



Federal funding uncertainty adds additional risk: the Trump administration froze nearly \$7 billion in federal grants to schools nationwide as of mid-2025, leaving districts unable to rely on funds that support programs ranging from English language learners to mental health services.



Instructional staff are governed by statute requiring retention based on *program needs* and **performance evaluations**, not seniority.

Ensure evaluation systems are current, defensible, and applied within affected program areas.

Instructional Personnel (§ 1012.01(2), Fla. Stat.) Teachers, school counselors, librarians, and others providing direct instructional services to students. Governed primarily by § 1012.33 (5).

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## Legal Framework: Instructional

# Legal Framework: Support Staff

Support personnel RIFs often permit **seniority** unless a collective bargaining agreement specifies otherwise.

Review applicable CBAs and follow contractual layoff procedures, including any different timing rules.

Educational Support Personnel / Support Employees (§ 1012.01(6), Fla. Stat.) Educational support employees are K-12 employees whose job functions are neither administrative nor instructional, yet whose work supports the educational process — paraprofessionals, bus drivers, custodial and maintenance workers, payroll clerks, administrative assistants, and similar roles. Governed primarily by § 1012.40.

# The Performance Evaluation Standard (§ 1012.33(5), Fla. Stat.)

Instructional employee retention is driven by *performance evaluations* within program areas, not seniority.

Ensure evaluation systems are up-to-date, consistently applied, and documented; ratings dictate order of release when reductions occur.



# Statutory Differences

Florida law separates *instructional* and *support* employees with distinct statutes governing RIFs. Instructional retention is based on **program needs** and performance evaluations; support staff RIFs may rely on **seniority** unless a collective bargaining agreement specifies otherwise.

Review applicable statutory sections and site-specific policies before action.



Identify affected program areas, determine the number of reductions, and classify positions by category.

Follow a stepwise process: target service, list positions, calculate seniority (if applicable), apply bumping rights, and address bargaining obligations.

1. Identify the targeted service category and number to be reduced
2. Identify categories of position
3. Determine seniority
4. Apply "bumping" rights
5. Bargaining obligations



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## RIF Procedures & Steps

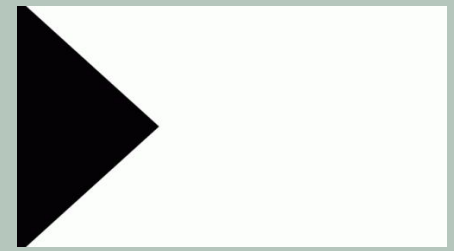
# Notice, Recall & Seniority

Provide timely notices and comply with statutory recall rights where applicable.

For instructional staff, seniority is not the tiebreaker; for ESPs, seniority may control unless CBA overrides. Document all recall procedures.



# Practical Employer Guidance



Engage legal counsel early and document the fiscal and programmatic rationale for any RIF.

Prepare defensible records, maintain non discriminatory practices, and plan support for remaining staff to sustain operations.





Review collective bargaining agreements for layoff procedures, seniority rules, and timing restrictions.

Meet bargaining obligations promptly and document negotiations and any agreed deviations from statutory norms.

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## CBA & Bargaining Considerations

# Communication & Post-RIF Actions

Communicate clearly with affected and remaining employees; outline recall rights and support resources.

Address morale, redistribute workloads thoughtfully, and monitor ongoing compliance with legal and contractual obligations.



## Practical Guidance: What Employers Should do?

- Establish and document the reasons
- Understand the law
- Understand the CBA
- Communication and Post-RIF Obligations
- Attend to remaining staff

A photograph of a man in a dark suit, light blue shirt, and red tie. He is holding up his right hand with the index finger pointing forward. The word "EXPERT" is written in large, white, sans-serif capital letters across the center of the image, partially overlapping the man's hand and suit.

EXPERT

A compliant RIF requires clear legal grounding, robust evaluation systems, and documented processes.

**Engage counsel early:** follow statutory and contractual rules, and prioritize transparent communication to reduce risk and support school operations.

**Needed:** a true picture of your financial condition. Look at a 4 year trend to prove necessity.

Get an idea of how many employees are retiring and regular attrition before proceeding with RIF.

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## Conclusions



Q&A - Open Floor